

September 2013

## **Rockefeller: Fighting to Protect Miners from Black Lung Disease**

Senator Rockefeller has always pushed for strong health and safety protections for West Virginia's coal miners. Part of his effort is focused on helping to prevent Black Lung disease and providing miners currently suffering from this disabling condition with the benefits they need and deserve.

- Leading current efforts in Congress to prevent Black Lung disease. In August 2013, Rockefeller wrote the President, pushing him to act quickly on long overdue regulations that will reduce miners' exposure to respirable dust. Two weeks later, the Administration acted. Now the Office of Management and Budget is reviewing the proposal and miners are one step closer to getting critical health protections.
- Introduced the Black Lung Health Improvements Act. In July 2013, Rockefeller introduced legislation that requires the Department of Labor to update its regulations so miners are exposed to less dust that causes Black Lung; expands miners' access to their medical records during the Black Lung program's claims process; creates a program to help miners secure legal representation when applying for benefits; and makes grant funding available for research into the disease.
- Pushed for timely payment of Black Lung benefits. In May 2012, after hearing
  from several miners about a delay in Black Lung benefit payments, Rockefeller's
  office contacted the Departments of Treasury and Labor to push for a resolution to
  the problem. Soon thereafter the late payments were delivered to miners and their
  families.
- Helped ease access to Black Lung benefits for long-time miners and their spouses. Because of an effort led by Senator Byrd and supported by Rockefeller, the final health care law of 2010 includes the "Byrd Amendments" now when long-time miners claim disabling lung conditions, current law presumes that their disability was caused by Black Lung. The law also means that widows are automatically entitled to Black Lung benefits if their spouse was awarded benefits at the time of death.
- Exposed barriers that miners and their families face when applying for Black Lung benefits. In October 2009, Rockefeller made public a Government Accountability Office study which identified legal and administrative barriers that miners face when applying for the federal Black Lung Benefits Program. This study was conducted at Rockefeller's request.